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**EDC STANDING COMMITTEE**  
**09/28/2009**

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**MEETING AGENDA**

- I. Activities
  - 2009 Empire Zone Conference - Watkins Glen
  - Empire State Development Visit
- II. EB-5 Program
- III. Adirondack Park Regional Assessment Project May 2009
- IV. Exit 18 Vision
- V. Hickory Hill Ski Center

**ADD'L STAFF REGISTRATION**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

\_\_\_\_\_ I plan to attend the Oct. 6th Seneca Legacy Lunch

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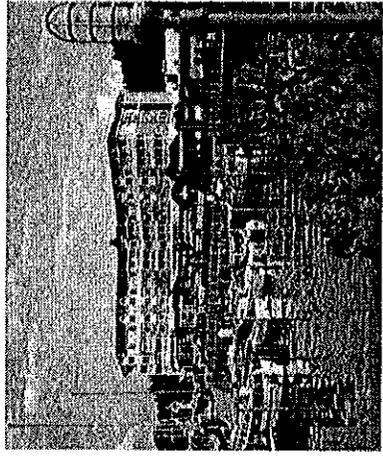
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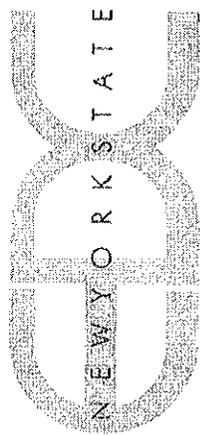
**New York State  
Economic Development Council**

**2009  
Empire Zone  
Conference**

**October 5 - 6, 2009  
Harbor Hotel  
Watkins Glen, New York**



Phone: (518) 426-4058  
www.nysedc.org



Economic Development Council

**New York State  
Economic Development Council**

111 Washington Avenue,  
6th Floor  
Albany, New York 12210  
Phone: (518) 426-4058  
Fax: (518) 426-4059  
Web Site: www.nysedc.org

# AGENDA

October 4<sup>th</sup>

6:00pm - 7:00pm Early arrival reception at the Lakewood Winery (Buses will depart hotel at 5:30pm)

October 5<sup>th</sup>

10:00am - 12:00pm Board of Directors meeting  
Guest speaker: Honorable Brian Kolb, NYS Assembly Minority Leader; Assemblyman Kolb will discuss the economic development legislative priorities of the Assembly Republican conference for 2010. (Any NYSEDC member is invited to attend the board of directors meeting.)

12:30pm - 1:45pm Lunch at the Harbor Hotel  
2:00pm - 4:00pm "Empire Zones: A Program in Transition"  
The Empire Zones program is scheduled to sunset in June, 2010. The Governor and legislative leaders have expressed interest in implementing a replacement program to take effect when the existing program goes out of existence. This interactive forum will give conference attendees an opportunity to share your thoughts with state and elected leaders regarding the structure, incentives, and operation of a replacement program.

Moderator: Brian McMahon, Executive Director, New York State Economic Development Council

Panel participants:

- Honorable Dennis Mullien, President & CEO, Empire State Development
- Honorable Robin Schimminger, Chairman, Assembly Standing Committee on Economic Development, Job Creation, Commerce & Industry
- Honorable William Stachowski, Chairman, Senate Standing Committee on Commerce, Economic Development and

## Small Business

- Steve Hyde, President, Genesee County Economic Development Center

Break

4:00pm - 4:15pm Randy Coburn, Empire Zones Program Director, ESD

4:15pm - 5:15pm In April 2009 several significant changes were made to the Empire Zones Program, including new benefit-cost standards for certification and the decertification of businesses not passing a 1:1 benefit-cost or "shirtchange" test. In this session, the progress that ESD has made in implementing these statutory reforms will be discussed. Other issues will be addressed with respect to the role of local administrators regarding certification, boundary revisions, denials, decertification and annual reports.

5:30pm - 6:30pm Reception at Watkins Glen International (Attendees will get the chance to ride in an Official Pace Car around the historic Watkins Glen International race track) Buses will depart the hotel at 5:15pm

7:00pm - 8:30pm Dinner at the Harbor Hotel

October 6<sup>th</sup>

8:00am - 9:30am Breakfast

9:30am - 11:30am Closing forum: "Where do we go from here: Mapping a Strategy for SUCCESS"  
This moderated forum will discuss legislative recommendations for an Empire Zones replacement program and strategies for having these recommendations enacted.

12:00pm - 2:00pm Lunch aboard the Seneca Legacy (The Seneca Legacy is a dinner cruise boat with enclosed and open air seating. The lunch cruise will tour beautiful Seneca Lake.)

## HOTEL ACCOMODATIONS

Overnight rooms have been reserved at the spectacular and new Harbor Hotel in Watkins Glen. The room block is available to registered participants at a significantly reduced rate of \$139/single & double.

Please contact the Harbor Hotel by September 5, 2009 at (607) 535-6116 to reserve a room for the evening of October 4<sup>th</sup> and/or 5<sup>th</sup>. Refer to Empire Zone Conference group.

# REGISTRATION

WHEN: October 5 - 6, 2009

WHERE: Harbor Hotel  
Watkins Glen, New York

Yes, I plan to attend the 2009 Empire Zone Conference

Member (\$100 Registration fee) \$75 for additional staff or directors (Add'l staff registration on back of form)

Non-Member (\$150 Registration fee) \$125 for additional staff or directors (Add'l staff registration on back of form)

Yes, I plan to attend the Oct. 6th Lunch aboard the Seneca Legacy

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

## IMPORTANT NOTICE

Registration will not be accepted without payment

Checks should be made payable to NYSEDC and mailed to:

Selene M. Eaton  
NYS Economic Development Council  
111 Washington Avenue, 6th Floor  
Albany, NY 12210

Cancellations will not be refunded after  
September 25, 2009.



Home > Services & Benefits > Permanent Resident (Green Card)

## Immigration through Investment

### Overview

Under section 203(b)(5) of the Immigration and Nationality Act (INA), 8 U.S.C. §1153(b)(5), 10,000 immigrant visas per year are available to qualified individuals seeking permanent resident status on the basis of their engagement in a new commercial enterprise.

Of the 10,000 investor visas (i.e., EB-5 visas) available annually, 3,000 are set aside for those who apply under a pilot program involving a USCIS-designated "Regional Center."

A "Regional Center:"

- Is an entity, organization or agency that has been approved as such by the Service;
- Focuses on a specific geographical area within the United States; and,
- Seeks to promote economic growth through increased export sales, improved regional productivity, creation of new jobs, and increased domestic capital investment.

"Alien investors" must:

- Demonstrate that a "qualified investment" (see below) is being made in a new commercial enterprise located within an approved Regional Center; and,
- Show, using reasonable methodologies, that 10 or more jobs are actually created either directly or indirectly by the new commercial enterprise through revenues generated from increased exports, improved regional productivity, job creation, or increased domestic capital investment resulting from the pilot program.

### Eligibility

Permanent resident status based on EB-5 eligibility is available to investors, either alone or coming with their spouse and unmarried children. Eligible aliens are those who have invested – or are actively in the process of investing – the required amount of capital into a new commercial enterprise that they have established. They must further demonstrate that this investment will benefit the United States economy and create the requisite number of full-time jobs for qualified persons within the United States.

In general, "eligible individuals" include those:

**Who establish a new commercial enterprise by:**

- creating an original business;
- purchasing an existing business and simultaneously or subsequently restructuring or reorganizing the business such that a new commercial enterprise results; or
- expanding an existing business by 140 percent of the pre-investment number of jobs or net worth, or retaining all existing jobs in a trouble business that has lost 20 percent of its net worth over the past 12 to 24 months; and

**Who have invested – or who are actively in the process of investing – in a new commercial enterprise:**

- at least \$1,000,000, or
- at least \$500,000 where the investment is being made in a "targeted employment area," which is an area that has experience unemployment of at least 150 per cent of the national average rate or a rural area as designated by OMB; and

**Whose engagement in a new commercial enterprise will benefit the United States economy and:**

- create full-time employment for not fewer than 10 qualified individuals; or
- maintain the number of existing employees at no less than the pre-investment level for a period of at least two years, where the capital investment is being made in a "troubled business," which is a business that has been in existence for at least two years and that has lost 20 percent of its net worth over the past 12 to 24 months.

## How do I seek status as an Immigrant Investor?

In order to seek status as an immigrant investor, you must file Form I-526, Immigrant Petition by Alien Entrepreneur. The Form I-526 must be filed with supporting documentation which clearly demonstrates that the individual's investment meets all requirements, such as:

- establishing a new commercial enterprise,
- investing the requisite capital amount,
- proving the investment comes from a lawful source of funds,
- creating the requisite number of jobs,
- demonstrating that the investor is actively participating in the business; and, where applicable,
- creating employment within a targeted employment area.

## How do I ... Obtain Status as a Conditional Resident?

Once the Form I-526 is approved, immigrant investors may obtain status as a conditional resident by:

- Filing Form I-485, Application to Register Permanent Residence or Adjust Status, if residing within the United States; or,

## ...Become a Permanent Resident Based on Investment?

In order to become a lawful permanent resident, eligible investors must file a Form I-829, Petition by Entrepreneur to Remove Conditions. Form I-829 must be filed within 90 days before the second anniversary of an Alien Investor's admission to the United States as a conditional resident.

Last updated:03/12/2009

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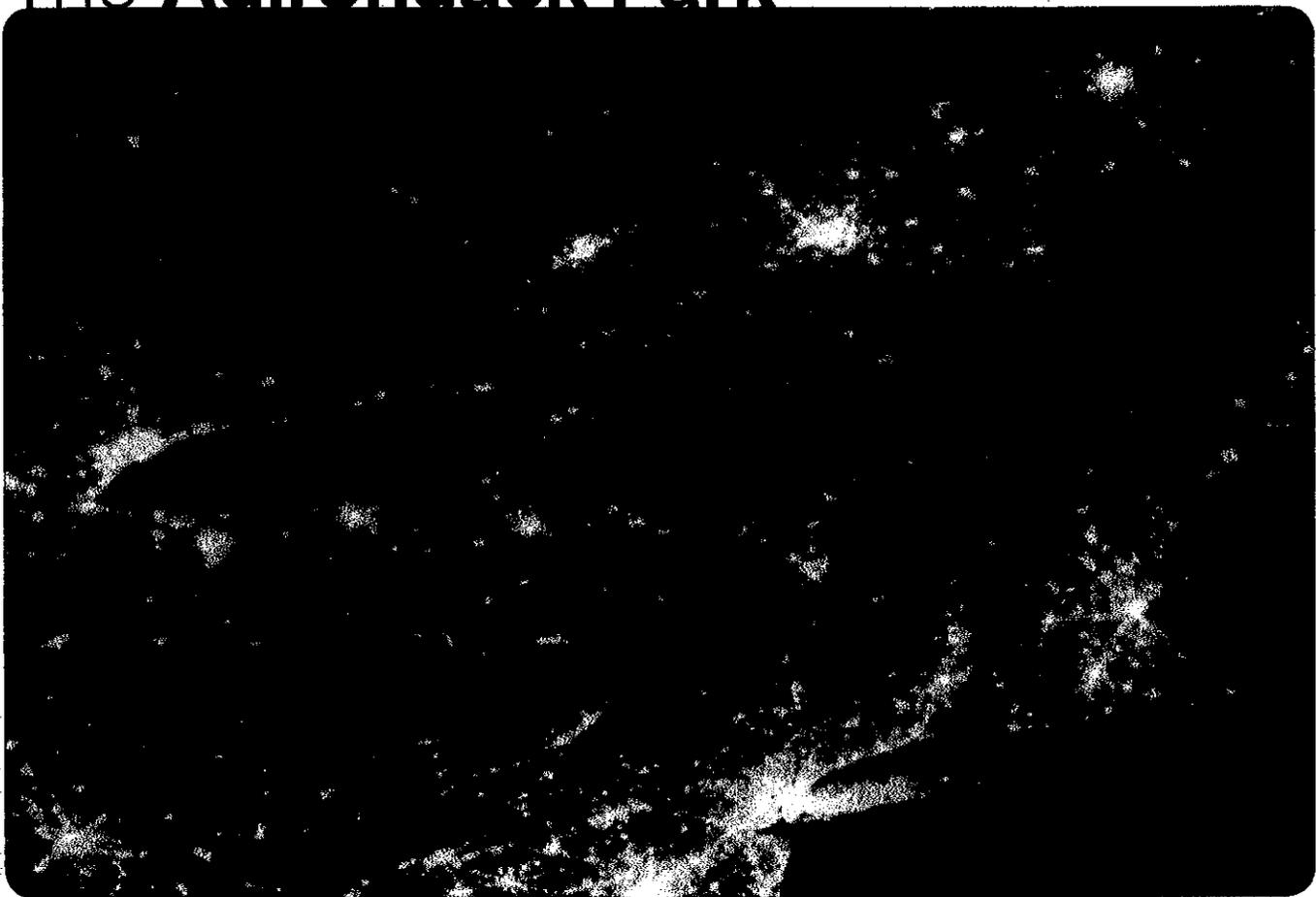
[U.S. Department of Homeland Security](#)



**Adirondack Park Regional Assessment Project**  
Executive Summary • May 2009

The photo on the opposite page is a composite image of layers provided by NASA and NOAA. Nighttime lights and the Blue Line were superimposed on a daylight image of the northeastern United States and the Provinces of Quebec and Ontario. Seventy million people live within the bounds of the image. Only 132,000 people live within the Blue Line. APRAP would like to thank NOAA, NASA and Congressman John McHugh for their assistance in the creation of this photo.

# The Adirondack Park



Copyright ADNY. Layers provided by BIDAA and IMSSA

**T**HE HISTORY OF THE Adirondack Park can be divided into a series of overlapping eras from the constitutional protection of the Forest Preserve, to the creation of the park, its incremental expansions, and the eventual regulation of land use within the park. The Adirondack Forest Preserve was originally created by the New York State Legislature in 1885. Two diverse groups—preservationists and merchants—agreed that this mountainous region of upstate New York needed protection. The preservationists were concerned about the environmental effects of large scale timber harvesting, while influential

New York City merchants feared that the same timber cutting would reduce water flows to the Hudson River and Erie Canal. These waterways were major transportation corridors, and such disruption would have had an adverse effect on their commercial interests. Together, they achieved one of the earliest acts of public land protection in the country.

The Adirondack Park was established in 1892. After some attempts to weaken the enabling legislation that created the forest preserve, the state gave the area even stronger protection in 1894 by amending the New York State Constitution, Section 7, Article

Seven. The following words were added:

“The lands of the state, now owned or hereafter acquired, constituting the Forest Preserve as now fixed by law, shall be kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.”

During the 1938 Constitutional Convention, these words were

# The Adirondack Park

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reaffirmed as Article Fourteen, the guiding principle for the Adirondack and Catskill forest preserves.

The Adirondack Park's boundary has expanded several times, eventually encompassing a land mass of nearly 6 million acres. The park is comprised of 12 counties and 103 municipalities with approximately 132,000 residents. The region

abounds with mountains, lakes and rivers scattered throughout a unique natural landscape. The Adirondack Park lies within a five hour drive for 50 million people who live in the urban centers of New York City, Boston, Montreal and Toronto. In 1971, New York State passed the Adirondack Park Agency Act which called for the development of two plans: the Adirondack Park State

Land Master Plan and the Adirondack Park Land Use and Development Plan. These plans regulate use and development on all land—public and private—within the park.

# Executive Summary

## Introduction

**T**HE ADIRONDACK PARK REGIONAL ASSESSMENT PROJECT (APRAP) is a study by and for park communities. The project was conceived in 2006 by member communities of the Adirondack Association of Towns and Villages in collaboration with the Adirondack North Country Association. Research was conducted to gather information about the park from the perspective of community leaders within the "Blue Line" and from outside data sources. The intent of the project is to provide a factual baseline quantifying various trends for use in strategic planning and assessment updates.

The final report marks the culmination of a sizable research project involving the 103 towns and villages that comprise the park. As an area recognized for its unique ecological qualities, the park includes diverse communities amid abundant state-owned lands constitutionally protected as "forever wild." The report, along with its appendices, will provide a factual basis for ensuing discussion on park issues and planning. A deliberate effort was made to avoid excessive interpretation or to arrive at conclusions, beyond the obvious.

## Findings

**T**HE RESULTS OF THE RESEARCH EFFORT AFFIRM how Adirondack communities share in the challenge of providing services for their residents and visitors, while simultaneously serving as gateways to the park's public lands. The findings from the assessment provide important information with respect to community life, park demographics, education, local government, emergency services, land use and infrastructure.

## what we found

The Adirondack Park has **doubled in size since its creation in 1892**, to more than nine thousand square miles. Private lands were first included in the definition of the park in 1912.

The Adirondack Park **represents one-fifth of New York's land area**, and includes less than one percent of the state's total population.

**Two-thirds of all state-owned lands** in New York State are **in the Adirondack Park**.

**Ninety percent** of the Adirondack Forest Preserve is **located in just 40 percent of the towns** in the Adirondack Park.

The Office of Real Property Services lists 76 percent of the Adirondacks as **"Wild, Forested, Conservation Lands and Public Parks."**

**Responses from community leaders** to the APRAP Community Survey show that while they generally respect DEC & APA staff, they **often disagree with the policies guiding these agencies**.

*continued on page vi*

# Executive Summary

## what we found

From 1980 to 2006, **real property tax** as a portion of total revenue has **decreased in the average Adirondack Park community**.

Individuals with mailing addresses **outside the park own about 40 percent** of the parcels listed as residential which constitute **half of the total** residential property value.

Government sector jobs account for more than 30 percent of all employment in Hamilton, Essex, Lewis and Washington counties. In 2007, **an estimated 44 percent of employees worked in the public sector** in Franklin County.

These jobs do not include employment in public education.

The regional economy is highly dependent on correctional services. **One of every 26 people** counted as living in the Adirondack Park **resides in a correctional facility**.

There are more than **5,000 miles of public roads in the park**, half of which are maintained by the towns and villages. State and county highways make up the remainder in roughly equal amounts. **Nine New York State Scenic Byways** traverse the park.

*continued on page vii*

## Implications for the Park

**T**HE APRAP REPORT PROVIDES A COMPARATIVE baseline and detailed picture of the park. Many in-park trends differ from the rest of New York State, even in other rural areas. The decline in school enrollment is steeper and the median age of the population is rising more rapidly than elsewhere. Household incomes are lower than in much of New York State. There is an out-migration of young families and an in-migration of semi-retired and retired persons. Approximately 40 percent of the homes are owned by people whose primary residence is outside of the Blue Line. The mines and mills of the Adirondacks are largely shuttered. Sparse populations and regulatory practices have contributed to a lag in private sector investment of broadband communication and data transfer infrastructure. The park-wide loss of private sector jobs has been offset temporarily by job increases in public health care, education and government employment.

The study provides essential information for the discussion of the following issues:

- How to provide quality employment in places that have suitable development opportunities inside the Blue Line?
- What is the effect of continued state land acquisitions, the use of easements, and private land use regulations on the social fabric and economy of park communities?

# Executive Summary

The obvious need to merge long-term economic revitalization with environmental protection must occur soon for the towns and villages within the Adirondack Park. Bold new strategies and investment will be required to address the complex needs of communities within a protected landscape. Such strategies must support sustainable development of communities consistent with both quality of life and environmental stewardship. The data presented assesses the need for targeted and timely utilization of resources to address the questions listed above and to drive the planning process to meet the fundamental needs of the people of the Adirondack Park.

## what we found

Only **7 park communities have complete cell phone coverage**, while the remainder have limited or no service at all.

Park residents **average just under 43 years of age**, older than any state for median age. By 2020, only the west coast of Florida will exceed the Adirondacks as the oldest region in America.

In the park, **K-12 students represent 13.5 percent** of the population, as **compared to 18 percent nationally**.

School enrollments in the park have **decreased by 329 students annually** throughout the current decade, which is equivalent to the loss of one average size Adirondack school district **every 19 months**.

The Saranac Lake School District (**1,536 students**) **covers an area nearly the size of Suffolk County** (69 districts and 254,629 students).

From 1970 to 2007, the number of **teachers in Adirondack school districts increased by 34 percent**, while the student population dropped by 31 percent.

# About The Study

THE ADIRONDACK ASSOCIATION of Towns and Villages, the Adirondack North Country Association, and the Towns of Chester and Arietta partnered in securing funding for this project through the NYS Department of State Quality Communities Grant Program. Matching funds were provided by the park communities. Donations from Stewart's Shops and the Arrow Financial Corporation made it possible to extend research in certain critical areas. The project was managed by the partner organizations sharing a common interest in "fact-based" analysis as a foundation for all future policy discussions.

The LA Group was responsible for an extensive study of secondary data sources. They produced the Community Survey, a Final Report, the community profiles and

appendices. Their skills were evident throughout the charting, mapping and analysis of enormous amounts of data. Outreach and interviews were conducted with town and village officials, school superintendents, and emergency service coordinators. Eighty-five communities completed the Community Survey, while several state agencies contributed valuable information, including the Adirondack Park Agency, the Office of Real Property Services, the Department of Environmental Conservation, the Department of Labor, the Department of Education and the Department of Correctional Services. The Siena Research Institute, the Center for Government Research, and the Technical Assistance Center at SUNY-Plattsburgh also played important roles in providing and analyzing data.

Due to the fact that a third of the towns and most of the counties of the park are divided by the park boundary, data related to those communities partially within the park was especially difficult to collect and assess. All efforts were made to aggregate data specific to the towns and villages of the park.

Extensive demographic, finance and socio-economic data for every community in the park is presented in 103 individual municipal profiles. Printed and digital copies of the profiles, project report and appendices, including a digital database, are available at the Adirondack Association of Towns and Villages, at [www.aatvny.org](http://www.aatvny.org).

*-The APRAP Steering Committee*



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*This project was made possible with funding from the NYS Department of State Coastal Resources Division through the Quality Communities Grant Program.*